

SEP 22 2006

PTO/SB/21 (09-04)

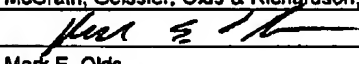
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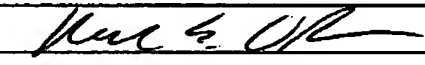
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| <b>TRANSMITTAL<br/>FORM</b><br><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 10/665,530             |                       |
|  | Filing Date          | Sep 22, 2003           |                       |
|  | First Named Inventor | HARCHANKO, John S.     |                       |
|  | Art Unit             | 2873                   |                       |
|  | Examiner Name        | Jessica T. Stultz      |                       |
| Total Number of Pages in This Submission   | 4                    | Attorney Docket Number | MEMS-0178P- <i>US</i> |

| ENCLOSURES <i>(Check all that apply)</i>  |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under<br>37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance communication to (TC)<br><input type="checkbox"/> Appeal Communication to Board of<br>Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
| <div style="border: 1px solid black; padding: 2px;">Remarks</div>   |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |       |
|--|---|----------|-------|
| Firm Name                                  | McGrath, Geissler, Olds & Richardson, PLLC  |          |       |
| Signature                                  |  |          |       |
| Printed name                               | Mark E. Olds  |          |       |
| Date                                       | September 22, 2006  | Reg. No. | 46507 |

| CERTIFICATE OF TRANSMISSION/MAILING   |   |      |                    |
|---|---|------|--------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |      |                    |
| Signature   |  |      |                    |
| Typed or printed name   | Mark E. Olds  | Date | September 22, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 22 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): HARCHANKO

Serial No.: 10/665,530

Filed: 22 Sep 2003

Title: OPTICAL ELEMENT/DEVICE  
MOUNTING PROCESS AND  
APPARATUSGroup Art Unit:  
2873Examiner:  
Jessica T. Stultz

Attorney Docket No.: MEMS-0178-US

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

☒ under 37 CFR 1.97(c) together with either a:

☐ Statement under 37 CFR 1.97(e), or

☒ a \$180.00 fee under 37 CFR 1.17(p), or

(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with a:

☐ Statement under 37 CFR 1.97(e), and

☐ a \$180.00 fee set forth in 37 CFR 1.17(p).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

09/25/2006 MBINAS 00000005 10665530

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The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,


I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

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Mark E. Olds  
Attorney/Agent for Applicant(s)  
Reg. No. 46507

Date: September 22, 2006

Telephone No.: 1.703.621.7140

SEP 22 2006

PTO/SB/08a (07-05)

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| Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(Use as many sheets as necessary)</i> |   | <b>Complete If Known</b> |                        |              |
|   |   | Application Number       | 10/665,530             |              |
|   |   | Filing Date              | 22 Sep 2003            |              |
|   |   | First Named Inventor     | HARCHANKO              |              |
|   |   | Art Unit                 | 2873                   |              |
|   |   | Examiner Name            | Jessica T. Stultz      |              |
| Sheet   | 1 | of                       | Attorney Docket Number | MEMS-0178-US |

| U.S. PATENT DOCUMENTS |          |  |                                |  |   |
|-----------------------|----------|--|--------------------------------|--|---|
| Examiner Initials*    | Cite No. | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |          | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       |          | US-5,863,577 A                             | 10/06/1999                     | Snyder et al.                                      |   |
|                       |          | US-6,218,470 B1                            | 04/17/2001                     | Tu   |   |
|                       |          | US-6,861,383 B2                            | 03/01/2005                     | Harchanko et al.                                   |   |
|                       |          | US-  |                                |  |   |
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| FOREIGN PATENT DOCUMENTS |          |   |                                |  |   |                |
|--------------------------|----------|---|--------------------------------|--|---|----------------|
| Examiner Initials*       | Cite No. | Foreign Patent Document   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |
|                          |          | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                |  |   |                |
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| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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